

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MISSOURI
WESTERN DIVISION**

CITY OF KANSAS CITY, MISSOURI,)

)

Plaintiff,)

)

vs.)

Case No. 05-0368-CV-W-GAF

)

HOUSING & ECONOMIC)

DEVELOPMENT FINANCIAL)

CORPORATION, et al.,)

)

Defendants.)

ORDER

Now pending before the Court is the claim of James and Gemma Zook (Doc. #1240). On January 29, 2008, United States Magistrate Judge John T. Maughmer conducted a hearing on the claim. On February 4, 2008, Judge Maughmer issued his Report and Recommendation.

Upon careful and independent review of the pending claim, as well as the applicable law, this Court hereby adopts and incorporates as its own Opinion and Order the Report and Recommendation of United States Magistrate Judge John T. Maughmer, finding that the proposed agreement of the parties is fair and reasonable and is in the best interest of the Receivership.

Accordingly, it is hereby ORDERED as follows:

1. The claim of James Zook and Gemma Zook (Doc. #1240) is allowed in the amount of \$16,000.00;
2. The City is to satisfy the claim of Zook on or before February 8, 2008;
3. In the event the City does not satisfy the claim of Zook on or before February 8, 2008, David E. Bahner, Receiver is authorized and directed to pay to Zook the

sum of \$16,000.00 in full satisfaction of their claim against the Receivership, and that the payment by the Receiver will be offset against any and all claims later found to be due and owing to the City by the Receiver.

SO ORDERED.

s/ Gary A. Fenner
GARY A. FENNER, JUDGE
UNITED STATES DISTRICT COURT

DATED: February 26, 2008